



Appeal Decision

Site visit made on 04 February 2025

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2025

Appeal Ref: APP/D0840/W/24/3352627

Land North of Mount Pleasant Farm, Trelowth Road, Polgooth, St Austell, PL26 7BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr T Minear (Minear Properties Ltd) against the decision of Cornwall Council.
 - The application Ref is PA24/00365.
 - The development proposed is described as “the rounding off of the settlement with the construction of up to five dwellinghouses”.
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Decision

1. The appeal is allowed and planning permission is granted for development described as “the rounding off of the settlement with the construction of up to five dwellinghouses” at Land North of Mount Pleasant Farm, Trelowth Road, Polgooth, St Austell PL26 7BX in accordance with the terms of the application, Ref PA24/00365.

Applications for costs

2. An application for costs was made against Cornwall Council by Mr T Minear. This application is the subject of a separate decision.

Preliminary Matters

3. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) (PiP) establishes whether a site is suitable in-principle, and the second (technical details consent) (TDC) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
4. The scope of the considerations for PiP is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application if PiP is granted. I have determined the appeal accordingly.
5. A revision to the National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties were given an opportunity to comment on the effect of the revision on the appeal and their comments have been taken into account in my decision.

Main Issue

6. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and amount of development.

Reasons

Location

7. The appeal site comprises vacant land which is roughly-rectangular in shape. The site is located beyond the settlement boundary of Polgooth as defined in the St Mewan Parish Neighbourhood Development Plan 2016-2030 (2018)(NP) and is bordered by residential development along the northern, southern and eastern boundaries. Along the site's western boundary is an access leading to Mount Pleasant, beyond which lies the open countryside. The site previously accommodated 2 buildings, the remnants of which remain on the site. The appeal proposal is for the construction of up to 5 dwellinghouses.
8. The site is located in the Cornwall Character Area CCA22 'Gerrans, Verran and Mevagissey Bay'. The Cornwall Character Area description CCA22 (2023) sets out that this comprises a farmed landscape of irregular fields bounded by Cornish hedges, with a dispersed medieval settlement pattern of farmsteads and small hamlets, many of which have seen recent expansion. The site is located in the 'rolling farmland Polgooth' landscape type as defined in the St Mewan Parish Neighbourhood Development Plan Landscape Character Assessment (2016), in which, outside of settlements, the majority of the land is used as pasture with isolated patches of semi-natural vegetation.
9. At my site visit I observed that the site did not appear to be in active agricultural use and had a somewhat unkempt appearance which was discernible from the roads which border the site. The previous condition of the site is described by the Council and shown in an aerial photo which forms part of their appeal submission, and it is suggested that trees have been cleared from the site in recent years. The Council argues that via powers at its disposal¹, the site could be cleaned up. However, the Council does not appear to have found that the condition or appearance of the site warrants taking action to remedy any harm to the amenity of the area, and there is no suggestion that this could achieve reinstatement of the site to its previous mature landscaped form as described by the Council.
10. The current site characteristics limit the site's scenic quality, and the site setting is heavily influenced by the residential development and highways which border the site. I observed during my site visit that there are limited views of the site from nearby public rights of way. Consequently, in its current form the site does not contribute positively to the character and appearance of Polgooth and the surrounding landscape.
11. The settlement boundary of Polgooth runs along the site's northern, southern and eastern boundaries. Therefore, the site is located within the countryside for planning purposes. Policy 2 of the Cornwall Local Plan Strategic Policies 2010-2030 (2016) (LP) seeks to maintain the dispersed development pattern of Cornwall, and to provide housing based on the role and function of each place, with LP Policy 1 reflecting the presumption in favour of sustainable

¹ Power available under section 215 of The Town and Country Planning Act 1990 (as amended).

development as set out in the Framework. LP Policy 3 defines how development will be accommodated, based on this hierarchy of role and function.

12. Polgooth is not a location named within the settlement hierarchy of Policy 3(1) and therefore Policy 3(3) provides that, outside of these named settlements, housing growth is to be delivered through the identification of sites through Neighbourhood Plans; rounding off of settlements and development of previously developed land (PDL) within or immediately adjoining settlements; infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside; and rural exception sites for the provision of affordable housing.
13. There is no indication that the proposed dwellings would be affordable or that the proposal is being put forward as a rural exception site and the site isn't allocated for development in the NP. The appellant suggests that the proposal would comprise the development of PDL as the site previously accommodated 2 buildings. It appears that these buildings have not been in use for a considerable time, and they have not blended into the landscape. The glossary to the Framework sets out that the definition of PDL excludes "land that is or was last occupied by agricultural or forestry buildings". The use of these buildings has not been clarified and I cannot rule out that they were not used for agriculture or forestry. Given this, I cannot be satisfied that the site is PDL.
14. 'Rounding off' is defined within the LP as "development on land that is substantially enclosed, but outside of the urban form of a settlement, and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth (such as a road). It should not visually extend building into the open countryside". In relation to this, a Chief Planning Officer's Advice Note: Infill Rounding Off (2017)(Advice Note) has been produced by the Council. The advice note is not part of the adopted Development Plan, but it is used for development management purposes and as such I have had regard to it in the determination of this appeal. The advice note advises that rounding off should provide a symmetry or completion to a settlement boundary; it is not intended to facilitate continued incremental growth; and suitable sites for rounding off are likely to be surrounded on at least two sides by existing built development, as well as being contained within long standing and enclosing boundary features.
15. The western site boundary is formed by a hedgerow alongside which runs an access road. It appears that the access road has recently been put in place and thus does not form a long-standing physical feature. At my site visit I observed that there were significant gaps in the hedgerow. Given this, it does not have the appearance of a continuous enclosing feature, nor does it act as a barrier to further growth. Therefore, the proposal does not comprise rounding off as described in the LP and advice note. Given the lack of development to the west of the site on Trelowth Road, and the length of the site frontage to Woodgrove Park, the proposal would not fill a small gap in an otherwise continuous built-up frontage along either of these site frontages.
16. Nonetheless, given the proximity to built form on 3 sides of the site, the proposal would fill an enclave between buildings which enclose the site, and the site visually, physically and functionally relates to the urban form of Polgooth, rather than the open countryside. The proposed dwellings would be

read as a logical extension to Polgooth in street scene views, would not appear disconnected from the settlement and would not erode an expansive area between settlements. Additionally, the site is relatively concealed in respect to longer views and makes little contribution to the open rural character of its wider surroundings. In light of these particular site characteristics, the proposal would not visually extend development into the countryside. Given this, the proposal would not substantially alter the visual characteristics of the Character Area. Thus, I find the proposed location to be acceptable.

Land use and amount

17. As a proposal for housing which would be located amongst other residential properties, there is little reason in principle to anticipate a conflict in land uses. The site is big enough to accommodate up to 5 dwellings of a size commensurate with surrounding properties and there is no particular evidence that a development of up to 5 dwellings would be disproportionate in scale in relation to the size of Polgooth or that it would place an unacceptable pressure on local infrastructure. Thus, I find the proposed use and amount acceptable.

Conclusions on site suitability

18. For the reasons set out above, the proposal would conflict with the settlement strategy policies of the development plan including LP policies 2, 3 and 7 and NP policies 1 and 2. However, whilst outside of the settlement, the proposal would relate well to Polgooth and would not represent an unacceptable encroachment into the open countryside. Given this, the proposal would not result in a form of development that conflicts with the spatial strategy's aim of maintaining the dispersed development pattern, and providing housing based on the role and function of each place. Consequently, I find that the proposal would accord with the wider aims of the settlement strategy policies. Given this, no harm would arise from this conflict.
19. I have found that the proposal would not result in harm to the local landscape. Therefore, I find no conflict with those aims of LP Policies 12, 21(c) and 23 which seek to ensure that development has a clear understanding and response to its landscape and that proposals do not have an adverse effect on the integrity or continuity of landscape features.
20. In light of the above, I find that the site would be suitable for the residential development proposed having regard to the location, land use and amount.

Other Matters

21. Details of matters including ecology, drainage, tree protection, access and parking would all need to be considered and approved at TDC stage along with a consideration of the design of the proposed dwellings and effect on the living conditions of the occupiers of neighbouring properties. However, I have been presented with no evidence which would lead me to conclude that acceptable arrangements could not be implemented.
22. It is suggested that the development could result in further sites to the west and southwest being created. However, differing circumstances, including the lack of enclosure by development on 3 sides and differing levels of containment within the local landscape, would represent matters to be considered were other similar proposals to be advanced on these sites in the

future. Given this, there is no reason to suppose that the development of the appeal site would set a precedent for development on adjacent sites.

Conditions

23. The PPG makes it clear that it is not possible for conditions to be attached to a grant of PiP, whose terms may only include the site location, the type and amount of development.

Conclusion

24. For the above reasons, whilst conflict arises with the development plan, I have identified that, as the site relates well to Polgooth, that conflict brings no harm. The appeal proposal would provide housing, meeting the Framework's objective to significantly boost the supply of homes. Given the limited development plan conflict, I am satisfied that there are material considerations which indicate that a decision be taken other than in strict accordance with the development plan. I therefore conclude that the appeal should be allowed.

N Robinson

INSPECTOR